

APPEAL NO. 030797
FILED MAY 19, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on March 11, 2003. With respect to the single issue before him, the hearing officer determined that the appellant's (claimant) compensable injury of _____, does not extend to and include injury to the lumbar spine, specifically loss of disc height and disc desiccation at L5-S1 and a posterior disc bulge at L5-S1. In his appeal, the claimant essentially argues that the hearing officer's determination is against the great weight of the evidence. In its response to the claimant's appeal, the respondent (carrier) urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant's compensable injury of _____, does not include loss of disc height and disc desiccation at L5-S1 and a posterior disc bulge at L5-S1. That issue presented a question of fact for the hearing officer to resolve. From the hearing officer's discussion, it is apparent that he was not persuaded that the claimant sustained his burden of proving the causal connection between his compensable injury and the lumbar conditions at issue. The hearing officer was acting within his province as the fact finder in so finding. Our review of the record does not reveal that the challenged determination is so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Therefore, no sound basis exists for us to reverse that determination on appeal. Pool v. Ford Motor Co., 715 S.W.2d 629 (Tex. 1986); Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **TEXAS MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**RUSSELL R. OLIVER, PRESIDENT
221 WEST 6TH STREET
AUSTIN, TEXAS 78701.**

Elaine M. Chaney
Appeals Judge

CONCUR:

Veronica Lopez
Appeals Judge

Margaret L. Turner
Appeals Judge